

The election is made with traverse. This application is a United States patent application, rather than a PCT application, and the PTO is not acting as an International Search Authority therefore, the standard for restriction is not PCT Rule 13.1 but 37 CFR 1.141 *et seq.*

The composition claims of Group I, the method claims of Group II and the method claim of Group III are related, rather than being independent and distinct from each other, because each set of claims requires a particular parameter to be present. Whether this is called a, "special technical feature," under the international practice or not, it links the claims together.

In the Group I composition claims there is a recitation of,

"said molecular properties of said solvent being substantially the same as said molecular properties of said solute and said solvent."

In the method of making the composition claims of Group II there is the related recitation of,

" * * *(g) determining that said molecular properties of said solvent are substantially the same as said molecular properties of said active agent and said solvent; * * * " .


In the method of claim of Group III, the recitation of,

" * * (m) selecting said solvent system wherein said molecular properties of said active agent and said solvent system are approximately $\pm 20\%$ of said molecular properties of said solvent system."

The Examiner has determined that claims 1 and 31 are generic therefore, the species of Group I are related by definition. Further, the claims have a disclosed and claimed common operation, function and effect in the transdermal penetration of the system. Within this terminology, the species of claims 2-30 and 32-38 are not mutually exclusive. The election of species is also traversed.

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